

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**UNIFIED MESSAGING SOLUTIONS  
LLC,**

Plaintiff,

**v.**

**GOOGLE, INC., et al.,**

Defendants.

Civil Action No. 6:11cv464

**JURY TRIAL DEMANDED**

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**UNOPPOSED MOTION TO SUBSTITUTE SBC INTERNET SERVICES, INC.  
D/B/A AT&T INTERNET SERVICES FOR AT&T INC.**

Plaintiff Unified Messaging Solutions LLC files its Unopposed Motion to Substitute SBC Internet Services, Inc. d/b/a AT&T Internet Services for AT&T Inc. and states as follows:

1. Plaintiff's Complaint in the above-captioned action names AT&T Inc. (as well as AT&T Services, Inc., AT&T Mobility LLC f/k/a Cingular Wireless LLC, and others) as a defendant.

2. Without admitting any facts or liability, counsel for SBC Internet Services, Inc. d/b/a AT&T Internet Services and AT&T Inc. informed Plaintiff that SBC Internet Services, Inc. d/b/a AT&T Internet Services, AT&T Services, Inc., and AT&T Mobility LLC f/k/a Cingular Wireless LLC are the proper parties to this lawsuit.

3. SBC Internet Services, Inc. d/b/a AT&T Internet Services has agreed to the substitution of SBC Internet Services, Inc. d/b/a AT&T Internet Services for AT&T Inc.

4. Plaintiff has agreed to dismiss AT&T Inc. without prejudice; to substitute SBC Internet Services, Inc. d/b/a AT&T Internet Services as a party for AT&T Inc.; and to permit

SBC Internet Services, Inc. d/b/a AT&T Internet Services to file an Answer in place of AT&T Inc.

WHEREFORE Plaintiff requests that the Court enter an order substituting SBC Internet Services, Inc. d/b/a AT&T Internet Services for AT&T Inc.; dismissing AT&T Inc. without prejudice; permitting SBC Internet Services, Inc. d/b/a AT&T Internet Services to file an Answer in place of AT&T Inc.; and correcting the caption in the above-captioned action to reflect this substitution.

**Dated: November 1, 2011.**

Respectfully submitted,

/s/Edward R. Nelson, III

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**Attorneys for Plaintiff**  
**Unified Messaging Solutions LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 1st day of November, 2011, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Edward R. Nelson, III